

Use of Supplemental Environmental Project (SEP) Funds for SF Bay Regional Monitoring Program (RMP) Projects

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San Francisco Bay Regional Water Board
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SF Bay RMP

is internationally recognized

- ◆ Collaboration between
 - SF Bay Regional Water Board
 - SF Estuary Institute
 - Discharger community
- ◆ Collects data targeted at highest-priority water quality management decisions
- ◆ Goes beyond permit compliance



Revised SEP Policy

- State Water Board may authorize use of SEP funds for RMP projects
- Resolution authorizes SF Bay Regional Water Board to direct SEP funds to SF Bay RMP



SF Bay RMP SEPs substantially comply with Policy

1. Approve RMP SEPs without commitments to address study findings
 - 💧 RMP answers management questions—subsequent decisions & implementation reflect study findings
 - 💧 RMP provides programmatic benefits—does not investigate discharge-specific problems



SF Bay RMP SEPs substantially comply with Policy

2. Approve aggregating RMP SEP funds from mandatory minimum penalties (MMPs)
 - ◆ Individual MMPs are too small
 - ◆ Aggregating funds will facilitate larger projects



SF Bay RMP SEPs substantially comply with Policy

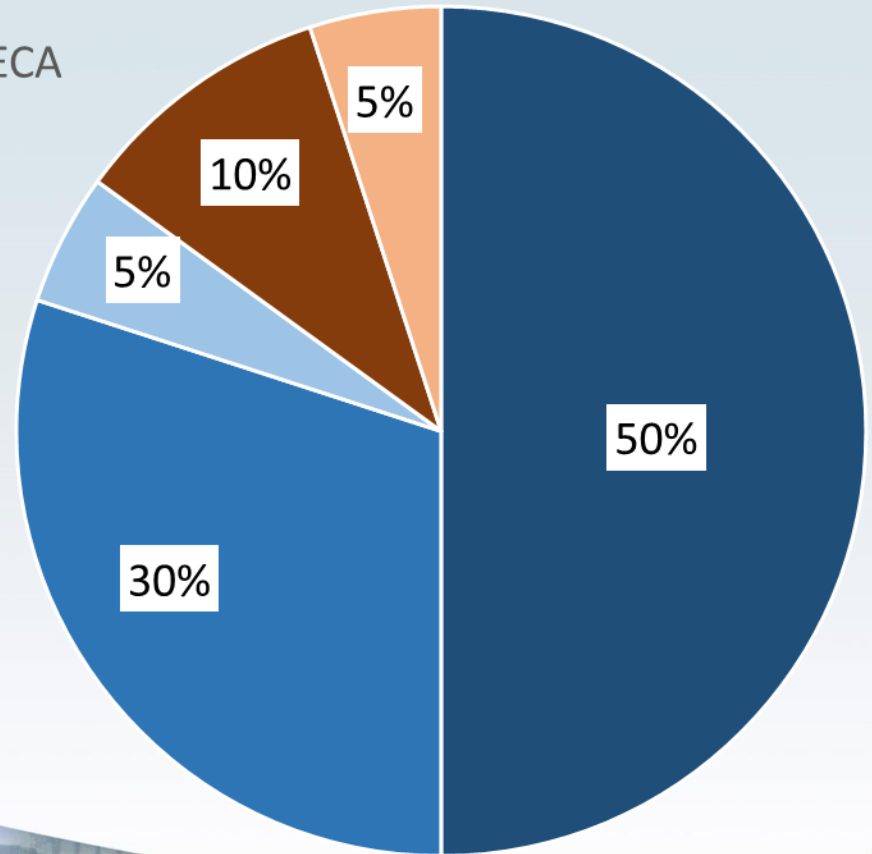
3. Approve release of liability upon proof of payment to RMP

- ◆ Removes barrier to settlement
- ◆ Simplifies SEP administration
- ◆ RMP reliably completes all funded projects



Annual Average Penalties = \$1,500,000

- Discretionary Penalties - No SEP/ECA
- Discretionary Penalties - Non-RMP SEP/ECA
- Discretionary Penalties - RMP SEP
- Mandatory Penalties - No SEP/ECA
- Mandatory Penalties - RMP SEP



Regional Water Board will continue to consider range of SEPs

- 💧 Watershed nexus
- 💧 Human right to water
- 💧 Environmental justice
- 💧 Climate change



